



7-08-04

PTO/SB/30 (08-03)

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61 \$ RCE 3739

# REQUEST FOR CONTINUED EXAMINATION (RCE) TRANSMITTAL

Address to:  
Mail Stop RCE  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Application Number	10/071,701
Filing Date	February 8, 2002
First Named Inventor	David Z. Lubowski
Art Unit	3739
Examiner Name	Leubecker, John P.
Attorney Docket Number	1258/US/1

**This is a Request for Continued Examination (RCE) under 37 CFR 1.114 of the above-identified application.**  
Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application. See Instruction Sheet for RCEs (not to be submitted to the USPTO) on page 2.

1. **Submission required under 37 CFR 1.114** Note: If the RCE is proper, any previously filed unentered and amendments enclosed with the RCE will be entered in the order in which they were filed unless applicant instructs otherwise. If applicant does not wish to have any previously filed unentered amendment(s) entered, applicant must request non-entry of such amendment(s).
- a. ☐ Previously submitted. If a final Office action is outstanding, any amendments filed after the final Office action may be considered as a submission even if this box is not checked.
- i. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on \_\_\_\_\_
- ii. ☐ Other \_\_\_\_\_
- b. ☒ Enclosed
- i. ☒ Amendment/Reply
- iii. ☒ Information Disclosure Statement (IDS)
- ii. ☐ Affidavit(s)/Declaration(s)
- iv. ☒ Other Form PTO-1449, 6 References and copy of ESR

## 2. Miscellaneous

- a. ☐ Suspension of action on the above-identified application is requested under 37 CFR 1.103(c) for a period of \_\_\_\_\_ months. (Period of suspension shall not exceed 3 months; Fee under 37 CFR 1.17(i) required)
- b. ☐ Other \_\_\_\_\_

## 3. Fees

The RCE fee under 37 CFR 1.17(e) is required by 37 CFR 1.114 when the RCE is filed.

- a. ☒ The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. 04-1415
- i. ☒ RCE fee required under 37 CFR 1.17(e)
- ii. ☐ Extension of time fee (37 CFR 1.136 and 1.17)
- iii. ☐ Other \_\_\_\_\_
- b. ☐ Check in the amount of \$ \_\_\_\_\_ enclosed
- c. ☐ Payment by credit card (Form PTO-2038 enclosed)

**WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.**

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TECHNOLOGY CENTER #3700

## SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

Name (Print / Type)	S. Craig Hemenway	Registration No. (Attorney / Agent)	44,759
Signature		Date	July 6, 2004

## CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop RCE, Commissioner For Patents, P.O. Box 1450, Alexandria, VA 22313-1450 or facsimile transmitted to the U.S. Patent and Trademark Office on the date shown below.

Name (Print / Type)		Date	
Signature			

This collection of information is required by 37 CFR 1.114. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing the burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

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770.00 DA  
01 FC:1801

**U.S. PATENT AND TRADEMARK OFFICE**☐ **CHECK REQUEST**☒ **DEPOSIT ACCOUNT REQUEST**

Date:	07-06-04	Amount:	\$675.00	Disbursement Code:	340
Payable to:	Commissioner of the U.S. Patent and Trademark Office			Deposit Account No.:	04-1415
Client / Matter No.:	458980-3	Docket No.	1258/US/1 (5804.02)		
Client Name:	Baldwin Shelston Water	Application No.	10/071,701		
Matter Name:	SIGMOIDOSCOPE	Attorney Name:	Craig Hemenway		
Requested by:	Craig Hemenway	Registration No.	44,759		
Attorney No.	2941	Return Check to:	N/A		
Approved by:	<i>Pamela Rader</i>	Extension:	3411	Room No.:	DV-47

Insert Additional Narrative After Automated Description Amendment & Response/RCE/IDS (1258/US/1)  
Automated Description To Be Shown On Client's Bill: **USPTO Fee for**

**Patents**

- ☐ 1005 Provisional Application
- ☐ 1001 Patent Application
- ☐ 2001 Continuation-in-Part Application (CIP)
- ☐ 1006 Continued Prosecution Application (CPA)
- ☐ 1002 Design Application
- ☐ 1802 Requesting Expedited Examination of Design Application
- ☒ 1801 Request for Continued Examination of Application (RCE) **\$385.00**
- ☐ 1004 Reissue Application
- ☐ 1052 Missing Parts of Provisional Application
- ☐ 1051 Missing Parts of Nonprovisional Application
- ☒ 1202 **Additional Claims - Amendment with Multiple Dependent Claims (LARGE) \$290.-**
- ☐ 1806 Information Disclosure Statement
- ☐ 1251 \_\_\_\_\_-Month Extension of Time
- ☐ 1814 Statutory Disclaimer
- ☐ 1401 Notice of Appeal
- ☐ 1402 Appeal Brief
- ☐ 1403 Request for Oral Hearing
- ☐ 1501 Issue Fee
- ☐ 8001 Advance Patent Copies
- ☐ 1504 Publication (Early, Voluntary or Normal)
- ☐ 1811 Certificate of Correction
- ☐ 1551 \_\_\_\_\_ Year Maintenance Fee
- ☐ 1558 Surcharge for Late Payment of Maintenance Fee
- ☐ 1812 Request for Reexamination
- ☐ 1455 Petition for Application for Patent Term Adjustment
- ☐ 1456 Petition to Request Reinstatement of Term Reduced
- ☐ 1457 Petition for Extension of Term of Patent

**Patents cont'd**

- ☐ 1702 PCT Application Designating: \_\_\_\_\_
- ☐ 1605 Preliminary Examination (Chapter II Demand)
- ☐ 1601 Transmittal to International Bureau (IB)
- ☐ 1604 Additional Search
- ☐ 1607 Additional Examination
- ☐ 1707 Confirmation of Precautionary Designations
- ☐ 8006 Certified Copy of Patent Application

**Trademarks**

- ☐ 8513 Certified Copy of Trademark/Service Mark Application
- ☐ 6000 Intent-to-Use Trademark/Service Mark Application
- ☐ 6001 In-Use Trademark/Service Mark Application
- ☐ 6201 Trademark/Service Mark Renewal Application
- ☐ 6002 Amendment to Allege Use
- ☐ 6003 Statement of Use
- ☐ 6004 Six-Month Extension of Time to File Statement of Use
- ☐ 6402 Notice of Opposition
- ☐ 6205 Affidavit under § 8
- ☐ 6208 Affidavit under §15
- ☐ 6206 Combined Affidavit under §§ 8 and 15

**General**

- ☐ 8014 Certified Copy of Assignment
- ☐ 1460 Petition for the Commissioner
- ☐ 8021 Assignment Recordation
- ☐ Other: \_\_\_\_\_
- ☐ Other: \_\_\_\_\_

**NOTE: A copy of the relevant page of the authorization to charge fees (i.e., fee calculation sheet) MUST be attached to the check request/deposit account request form. Send one copy to accounting and one to the designated individual reconciling the deposit account in your office (Cathy Lawrence).**